



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

September 15, 2020

VIA ECF

The Honorable Laura Taylor Swain
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

Re: *United States v. Jesse Rodriguez*, 18 Cr. 488


Dear Judge Swain:

The Government writes to respectfully request that the Court adjourn the parties' upcoming status conference, currently scheduled for September 24, 2020. As discussed at the last conference and in the Government's prior request for an adjournment, defense counsel is continuing to evaluate the defendant's competency, and has not yet concluded this inquiry. *See* Def. Ltr., ECF No. 77. Accordingly, the parties have no additional applications to make, or updates to provide to the Court. In light of the foregoing, a rescheduled conference date would provide the parties additional time to discuss these and other issues, and return to the Court with a proposal for subsequent proceedings in this matter. The Government has conferred with defense counsel, who requests an adjournment of no less than 60 days.

The Government further requests that time be excluded under the Speedy Trial Act through the date of the next conference. Exclusion of time under the Speedy Trial Act will provide the parties sufficient time to contemplate a competency hearing, pre-trial motions, or a potential pre-trial disposition; therefore, the "ends of justice served by the granting of such continuance outweigh the best interests of the public and the defendant in a speedy trial." 18 U.S.C. § 3161(7)(A). Defense counsel consents to the exclusion of time.

Respectfully submitted,

AUDREY STRAUSS
Acting United States Attorney



Sarah Mortazavi
Assistant United States Attorney
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THE APPLICATION IS GRANTED. THE CONFERENCE IS
ADJOURNED TO NOVEMBER 19, 2020, AT 11 AM. THE
COURT FINDS PURSUANT TO 18 U.S.C. § 3161(h)(7)(A)
THAT THE ENDS OF JUSTICE SERVED BY AN EXCLUSION
OF THE TIME FROM TODAY'S DATE THROUGH 11/19/2020
OUTWEIGH THE BEST INTERESTS OF THE PUBLIC AND
THE DEFENDANT(S) IN A SPEEDY TRIAL FOR THE
REASONS STATED ABOVE. DE# 83 RESOLVED.
SO ORDERED.

DATED: 9/15/2020
/S/ Laura Taylor Swain, USDJ

cc: Clay Kaminsky, Esq. (via ECF)